

MINE RECLAMATION ORDINANCE IN THE WORKS

*By: Perry Lindquist
Land Resources Manager*

A work group sponsored by the Land Resources Division recently finished drafting an ordinance that will require the reclamation of gravel pits and stone quarries - known as "nonmetallic" mines in a new state law. The new law became effective last December and requires every county in the state to adopt and enforce a *Nonmetallic Mining Reclamation Ordinance* this year. The two main purposes of the local ordinances are to protect the environment and encourage other uses of the property after mining is complete.

In a nutshell, the ordinance requires the operator of each nonmetallic mine in the county to develop a reclamation plan as a condition of obtaining a permit. The reclamation plan must follow minimum performance standards outlined in the ordinance, including showing final site grades and describing soil-stabilizing techniques. The plan must be based on a post-mining land use that has been approved by the local zoning authorities. Once the reclamation plan is approved, the operator must provide a financial assurance, which is held until all the reclamation work has been completed. Annual inspections and operator reports are required. Communities must also submit annual reports to the DNR as part of local program audit requirements.

It should be noted that the ordinance only addresses the reclamation of mines. It does not regulate the location of new mines or address mine operating issues such as noise controls, hours of operation, setbacks, view screens, etc. These continue to be local zoning issues.

The DNR provided a model ordinance that incorporates the requirements of the new law, which the work group used as a basis for the county draft. Most changes made to the model ordinance are aimed to clarify provisions and adapt them to local conditions. The new law *allows* any city, village or town to adopt and enforce their own reclamation ordinance. However, only counties are *required* to do so - and have deadlines to meet.

Unfortunately, the deadlines have not allowed much time for county staff interaction with other local communities. To make up for this fact, we are hoping for a high attendance at the upcoming informational meeting/public hearing.



A draft county ordinance that regulates the reclamation of gravel pits and stone quarries is scheduled for a public hearing on June 7.

**Informational Meeting/Public Hearing
Thursday, June 7 - 7:00 PM
Room 255/259
Waukesha County Administration Center**

A memo was sent to all local communities in January explaining the process the county would follow in developing the ordinance and the options communities would have in adopting the new requirements. A short presentation was also given at a quarterly Towns Association meeting at the same time. Like many counties in the state, we are behind schedule, but are still striving to meet the statutory August 1 deadline for permit applications. A complete draft will be sent to each community with an invitation to the upcoming meeting. The final ordinance must be certified by the DNR and approved by the Waukesha County Board.

Additional copies of the draft ordinance are available from the Land Resources Division. Call 262-896-8300 or stop at Room 260 of the Waukesha County Administration Center. On June 7, we will explain the draft county ordinance, accept public comments, and review options available to other communities.

